UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,944	06/27/2000	Marco A. DeMello	MSFT-0127/73297.3	5209

7590 01/21/2004

Peter M Ullman
Woodcock Washburn Kurtz
Mackiewicz & Norris LLP
One Liberty Place 46th Floor
Philadelphia, PA 19103

EXAMINER	
LEE, GRACE C	

ART UNIT	PAPER NUMBER
2132	9

DATE MAILED: 01/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/604,944	DEMELLO ET AL.	
	Examiner	Art Unit	
	Grace C. Lee	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 July 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-64* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-64* is/are rejected.

7)☒ Claim(s) *12-13, 64* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *5-8*.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 13, 64 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 13, the claim is indefinite as claim 12 recites the second computing device is transmitting the encrypted information to the first computing device.

Regarding claim 64, the claim is indefinite as the second server receives the encrypted information in claim 54, but claim 64 recites providing an address for said first server.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-9, 11-27, 30-50, 52-54, 56-61, 63-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Levergood et al. (US Patent 5,708,780; "Levergood" hereinafter).

Regarding claim 1, Levergood discloses a method of communicating with a first computing device, said method comprising the acts of:

- encrypting information (SID) destined for said first computing device (col 5, line 54-60; content server is the first computing device);
- creating an HTTP request which includes an address of said first device and the encrypted information (col 6, line 20-22 http://content.com/[SID]/report);
- transmitting said HTTP request to a second computing device different from said first computing device (col 6, line 23-24; client browser is the second computing device, content server is the first computing device).

Regarding claim 2, Levergood discloses HTTP request comprises a POST request, and wherein said encrypted information is included in the body of said POST request (col 7, line 7-11).

Regarding claim 3, Levergood discloses HTTP request comprises a GET request, and wherein said encrypted information is appended to said GET request as a parameter (col 5, line 32-33; col 5, line 53-54).

Regarding claim 4, Levergood discloses said information is encrypted using a symmetric key (col 5, line 64 secret key).

Regarding claim 5, Levergood discloses the act of creating a web page which includes a hyperlink associated with said HTTP request, wherein said transmitting act comprises transmitting said web page to said second computing device (col 6, line 23-24).

Regarding claim 6, Levergood discloses the second computing device is associated with a purchaser of content (col 8, line 61-62), wherein said first computing device provides said content (col 5, line 40-41), and wherein the encrypted information includes information relating to the purchase of said content (col 5, line 54-60).

Regarding claim 7, Levergood discloses the encrypted information includes information which identifies said purchaser (col 5, line 60 user identifier).

Regarding claim 8, Levergood discloses the encrypted information includes a timestamp (col 5, line 57 expiration date).

Regarding claim 9, Levergood discloses acts of computing a hash of said information prior to encryption; and including said hash in said HTTP request (col 5, line 62).

Regarding claim 11, Levergood discloses a computer readable medium having computer-executable instructions to perform the method of claim 1 (col 4, line 24-28).

Regarding claim 12, Levergood discloses a method of communicating with a first computing device through a second computing device, said method comprising the acts of:

- encrypting information such that the encrypted information is decryptable by a secret (col 6, line 8; SID);
- transmitting the encrypted information to said second computing device, said encrypted information being transmittable to said first computing device upon instruction from a user operating said second computing device, wherein said secret is not accessible to either said second computing device or said user (col 3, line 11-20; first computing device is content server, second computing device is client browser);
- sharing said secret by performing either of the following acts: providing said secret to said first computing device or to a party associated with said first computing device; or receiving said secret from

said first computing device or from a party associated with said first computing device (col 5, line 64-65).

Regarding claim 13, Levergood discloses first computing device is associated with a purchaser of content (col 8, line 61-63), and wherein said second computing device provides said content (col 3, line 11-16).

Regarding claim 14, Levergood discloses the encrypted information includes information relating to the purchase of said content (col 5, line 54-61)

Regarding claim 15, Levergood discloses transmitting the encrypted information over a wide-area network (col 3, line 12).

Regarding claim 16, Levergood discloses wide-area network comprises the Internet (col 8, line 63).

Regarding claim 17, Levergood discloses transmitting act comprises transmitting to said second computing device an HTTP request which includes an address of said first computing device and the encrypted information (col 3, line 11-15).

Regarding claim 18, Levergood discloses HTTP request comprises a POST request, and wherein said encrypted information is included in the body of said POST request (col 7, line 7-11).

Regarding claim 19, Levergood discloses HTTP request comprises a GET request, and wherein said encrypted information is appended to said GET request as a parameter (col 5, line 32-33; col 5, line 53-54).

Regarding claim 20, Levergood discloses the act of creating a web page which includes a link associated with said HTTP request, wherein said transmitting act comprising transmitting said web page to said second computing device, and wherein the user instruction to transmit the encrypted information to said first computing device comprises the user using an input device associated with said second computing device to actuate said link (col 9, line 13-20).

Regarding claim 21, Levergood discloses encrypting said information with said symmetric key (col 5, line 64 secret key).

Regarding claim 22, Levergood discloses including a timestamp in the encrypted information (col 3, line 34).

Regarding claim 23, Levergood discloses appending a hash of said information to said encrypted information, said hash being computed prior to encryption of said information (col 3, line 37).

Regarding claim 24, Levergood discloses a method of facilitating electronic content distribution comprising the acts of:

- providing, to a first party for use on a first computing device, a first set of computer-executable instructions which encrypts information based on a unique id that maps into a shared secret, the encrypted information being includable in an HTTP request which includes a network address of a second computing device (col 5, line 54-65; first computing device is authentication server, second computing device is content server);
- providing, to a second party for use on said second computing device, a second set of computer-executable instructions which decrypts the encrypted information (col 6, line 21-26).

Regarding claim 25, Levergood discloses said first party comprises a seller of electronic content (col 8, line 61-62, the user may purchase the subscription to gain access to document), wherein said second party comprises a provider of electronic content sold by said first party (content server provides information), and wherein said

encrypted information relates to a transaction between said first party and a consumer of electronic content (SID)

Regarding claim 26, Levergood discloses HTTP request comprises a POST request, and wherein said encrypted information is included in the body of said POST request (col 7, line 7-11).

Regarding claim 27, Levergood discloses HTTP request comprises a GET request, and wherein said encrypted information is appended to said GET request as a parameter (col 5, line 32-33; col 5, line 53-54).

Regarding claim 30, Levergood discloses said secret symmetric key to encrypt said information (col 5, line 64).

Regarding claim 31, Levergood discloses wherein said information includes information identifying an item of content which said second computing device provides (col 3, line 59-60).

Regarding claim 32, Levergood discloses wherein said information includes information identifying a purchaser of an item of content (col col 5, line 60).

Regarding claim 33, Levergood discloses a method of building a client-server request, said method comprising the acts of:

- encrypting first information so as to be decryptable by a secret accessible to a first server (col 3, line 12-16; the first server is the content server);
- including an address associated with said first server in said client-server request (col 3, line 12-16);
- including the encrypted information in said client-server request (col 3, line 12-16; col 7, line 21-34).

Regarding claim 34, Levergood discloses wherein the encrypted information includes information relating to a transaction to purchase a content item, wherein said first server furthers at least some aspect of said transaction (col 8, line 31-33).

Regarding claim 35, Levergood discloses wherein the encrypted information includes information which identifies a purchaser of said content item (col 8, line 2).

Regarding claim 36, Levergood discloses wherein the encrypted information includes information which identifies said content item (col 8, line 3).

Regarding claim 37, Levergood discloses wherein the encrypted information includes a timestamp (col 8, line 3).

Regarding claim 38, Levergood discloses wherein said first server provides said content item (col 8, line 11-13; Fig 3, Item10).

Regarding claim 39, Levergood discloses then encrypted information is generated by encrypting cleartext information with said symmetric key (col 5, line 64).

Regarding claim 40, Levergood discloses client-server request comprises an HTTP request (col 7, line 24-34).

Regarding claim 41, Levergood discloses wherein said HTTP request comprises a POST request, and wherein the encrypted information is included in the body of said POST request (col 7, line 25-27).

Regarding claim 42, Levergood discloses wherein said HTTP request comprises a GET request, and wherein the encrypted information is appended to said GET request as a parameter (col 7, line 29-34).

Regarding claim 43, Levergood discloses a computer-readable medium having computer-executable instructions to perform the method of claim 33 (col 4, line 26).

Regarding claim 44, Levergood discloses a method of distributing electronic content, said method comprising the acts of:

- receiving, at a first computing device (authentication server) from a second computing device (client browser), an order for a content item (col 8, line 61-63);
- providing, from said first computing device to said second computing device, data comprising: a network address of a third computing device (content server); and encrypted information (SID); wherein said third computing device processes said order by using at least some of said encrypted information (col 5, line 47-49).

Regarding claim 45, Levergood discloses wherein said data comprises an HTTP POST request, and wherein said encrypted information is included in the body of said POST request (col 7, line 7-11).

Regarding claim 46, Levergood discloses wherein said data comprises an HTTP GET request (col 5, line 32-33; col 5, line 53-54).

Regarding claim 47, Levergood discloses wherein said encrypted information includes information identifying said content item (col 5, line 54-61).

Regarding claim 48, Levergood discloses wherein said encrypted information includes information identifying the individual who issued said order for said content item (col 5, line 59-60).

Regarding claim 49, Levergood discloses wherein said encrypted information includes a timestamp (col 5, line 57).

Regarding claim 50, Levergood discloses wherein said data further comprises a hash of said encrypted information, said hash being computed prior to encryption of said information (col 5, line 62).

Regarding claim 52, Levergood discloses wherein said content item does not reside on said first computing device (col 5, line 59).

Regarding claim 53, Levergood discloses a computer-readable medium having computer-executable instructions to perform the method of claim 44 (col 4, line 24-28).

Regarding claim 54, Levergood discloses a computer-readable medium having computer-executable instructions for performing steps comprising:

- receiving parameters that identify characteristics of a first transaction between a first client and a first server (col 5, line 49,

the parameter is SID, first client is client browser, first server is authentication server);

- encrypting one or more of said parameters (col 5, line 64, encrypted with a secret key which is shared by the authentication and content servers);
- returning said encrypted parameters to said first client in a format such that a second server may receive said encrypted parameters from said first client (col 3, line 16-20), validate said first transaction, and initiate a second transaction without any interaction with said first server (Fig 2A, Item 100 Get URL through Item 106, second server is content server).

Regarding claim 56, Levergood discloses wherein said first transaction relates to the sale of electronic content (col 8, line 62).

Regarding claim 57, Levergood discloses wherein said second transaction comprises downloading ;said electronic content from said second server to said first client (Fig 2A, Item Browser/Display).

Regarding claim 58, Levergood discloses wherein said parameters comprise end-use information that enables the individualization of said electronic content (col 5, line 59, a set of information file).

Regarding claim 59, Levergood discloses wherein said parameters include one or more of the following: information identifying a party to said first transaction, and information identifying an item purchased in said first transaction (col 5, line 54-61, user identifier).

Regarding claim 60, Levergood discloses containing a timestamp in encrypted parameter (col 5, line 57)

Regarding claim 61, Levergood discloses wherein said steps further comprise computing a hash of at least some of said encrypted parameters (col 5, line 62, hash).

Regarding claim 63, Levergood discloses wherein said encrypting act comprises applying a secret symmetric key shared between said first server and said second server (col 5, line 64-65)

Regarding claim 64, Levergood discloses wherein said format comprises an HTTP request including an address of said first server (col 5, line 54 http://content.com/[SID]/report).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 28-29, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levergood et al. (US Patent 5,708,780, "Levergood" hereinafter) in view of Barnes et al. (US Patent 5,970,475, "Barnes" hereinafter).

Regarding claims 28-29, 55, Levergood discloses computer-executable instructions which encrypts information. Levergood fails to teach using COM object to perform the job. Barnes teaches the EC system core functionality is implemented using many Microsoft's component object model (COM) for the purpose of providing a specific function role and providing a function interface that can be accessed by other COM objects or COM-enabled processes (col 10, line 51-56). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention was made to implement computer-executable instructions as COM object.

7. Claims 10, 51, 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levergood et al. (US Patent 5,708,780, "Levergood" hereinafter) in view of Eberhard et al. (US Pub. 2001/0011238 A1, "Eberhard" hereinafter).

Regarding claims 10, 51, 62, Levergood discloses hashing the encrypted information. Levergood fails to teach hashing the encrypted information using an SHA1 algorithm. Eberhard teaches hashing parameters by using a SHA1 algorithm to calculate a hash for a title file downloaded from the publisher's server for the purpose of maintaining integrity, doing comparison before the purchased title being downloaded (page 4, block 40-42). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention was made to use SHA1 algorithm to maintain data integrity.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grace C. Lee whose telephone number is 703-305-0710. The examiner can normally be reached on Monday - Friday 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Grace C. Lee (GL)
Examiner
Art Unit 2132

GCL
January 12, 2004

GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100